IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

WP(C).No. 34303 of 2007(H)

PETITIONER:

T.T.SUNIL, THATTARKELIL HOUSE,
KARIPPADAM P.O., THALAYOLAPARAMBU,
VAIKOM.

BY ADV. SRI.BABU PAUL

RESPONDENTS:

---

1. THE GEOLOGIST, MINING AND GEOLOGIST
DISTRICT OFFICE, COLLECTORATE P.O.
KOTTAYAM.

2. THE SUB INSPECTOR OF POLICE,
VELLOOR POLICE STATION,
VELLOOR.

BY GOVERNMENT PLEADER SRI.I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J

W.P.(C). 34303/2007

Dated this the 21st day of November, 2007

JUDGMENT

The prayer made in this writ petition is to direct the first respondent to consider and pass orders on Ext.P2 representation filed by the petitioner. The subject matter of the writ petition is regarding the objection taken against clause 17 of Ext.P1 by which the petitioner is prevented from using pump and motor for washing ordinary sand. In identical matters, this Court has directed that there cannot be incorporation of such a condition in all cases and that it is for the respondent to consider whether such a clause is required to be incorporated in the licence, taking into account the facts of each case. The judgment where relief has been granted as above is produced as Ext.P3 in this writ petition.

2. Accordingly, following the said judgment, I dispose of this writ petition directing that the respondent shall take up and consider Ext.P2 representation submitted by

the petitioner in the light of law that is laid down in Ext.P3 judgment. Orders on Ext.P2 shall be passed as expeditiously as possible at any rate within two weeks from the date of receipt of a copy of this judgment.

3. Petitioner shall produce a copy of the judgment before the first respondent for compliance.

ANTONY DOMINIC
Judge

mrcs